

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 2:16-cr-10-KS-MTP

DOUGLAS CHAUNCEY WILLIAMS

ORDER

THIS CAUSE IS BEFORE THE COURT on Motion for Reconsideration of Sentence [37].

In the Motion Williams requests an evidentiary hearing and alleges that his attorney failed to communicate a formal plea offer to him. He further alleges that his attorney was ineffective because he did not object to the plea bargain offer from the Assistant United States Attorney and that his drug history was not as stated in the Presentence Report. He also reasserts his right to appeal. Finally he appears to contest the conviction under some part of Title 28 U.S.C. or claiming an excessive penalty.

The court has reviewed the Motion. It should also be noted that the Petitioner has filed a Pro Se Notice of Appeal [36] which alleges ineffective assistance of counsel.

The Court finds that this Court has passed a final sentence and has no jurisdiction to revisit the sentence. Further the Court finds that an evidentiary hearing is not indicated in this case. Additionally this case, having been appealed, is pending before the Court of Appeals for the Fifth Circuit.

As stated above this Court finds that there is no basis shown for which this Court should or could reconsider sentence of Petitioner and therefore this Motion is overruled and **DENIED**.

This the 12th day of January, 2017.

____ s/ Keith Starrett _____

UNITED STATES DISTRICT JUDGE